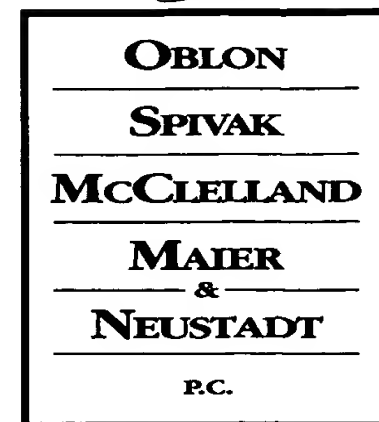




Docket No.: 2084-0046-0 DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/306,780
Applicants: Fuminori TAKEMURA, et al.
Filing Date: May 7, 1999
CPA Filed: May 29, 2001
For: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD
OF PRODUCING NUCLEIC ACID-BOUND
POLYPEPTIDE, AND IMMUNOASSAY USING THE
POLYPEPTIDE
Group Art Unit: 1645
Examiner: Hines, J.
Allowed: April 8, 2005

SIR:

Attached hereto for filing are the following papers:

Petition Under 37 C.F.R. §1.181(a)(3)
Copy of Date-stamped Filing Receipt dated December 4, 2002
Copy of Information Disclosure Statement filed December 4, 2002
Copy of Form PTO 1449 filed December 4, 2002

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Vincent K. Shier, Ph.D.

Registration No. 50,552

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Docket No.: 2084-0046-0 DIV



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF

:

FUMINORI TAKEMURA ET AL

: EXAMINER: HINES, J.

SERIAL NO: 09/306,780

: GROUP ART UNIT: 1645

FILED: MAY 7, 1999

: ALLOWED: APRIL 8, 2005

CPA FILED: MAY 29, 2001

FOR: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING NUCLEIC
ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING THE
POLYPEPTIDE

PETITION UNDER 37 C.F.R. §1.181(a)(3)

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

SIR:

Petitioners respectfully request the Office to invoke the supervising authority of the Commissioner and consider Petitioners' Comments on Statement of Reasons for Allowance, concurrently filed herewith, and also indicate that the references cited on the Information Disclosure Statement filed on December 4, 2002, have been considered. Petitioners respectfully request that the Examiner acknowledge consideration of same by providing Applicants with an initialed copy of Form PTO-1449 enclosed herewith listing these references. Petitioners submit herewith a copy of the references cited on the Information Disclosure Statement filed on December 4, 2002, along a copy of the date-stamped filing receipt evidencing the timely filing thereof.

For the reasons given above, this petition should be GRANTED.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon



Vincent K. Shier, Ph.D.
Registration No.: 50,552

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)



Dept.: -C-

By: NFO/VKS/sfb

OSMM&N File No. 2084-0046-0 DIV

Serial No. 09/306,780

In the matter of the Application of: Fuminori TAKEMURA, et al.

For: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING
NUCLEIC ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING
THE POLYPEPTIDE

CPA Filed: May 29, 2001

Due Date: 12/04/02

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ Check for \$1100.00
- ☐ Dep. Acct. Order Form
- ☐ PTO Cover Letter
- ☐ Amendment and Request for Reconsideration w/Marked-up Copy
- ☐ Information Disclosure Statement
- ☐ PTO-1449
- ☐ Cited References 5
- ☐ Request for Extension of Time Three Months

COPY



BEST AVAILABLE COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Fuminori TAKEMURA et al.

SERIAL NO: 09/306,780

GAU: 1645

FILED: MAY 7, 1999

EXAMINER: HINES, JANA A.

FOR: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING NUCLEIC ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING THE POLYPEPTIDE

CPA FILED: May 29, 2001

INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited first in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

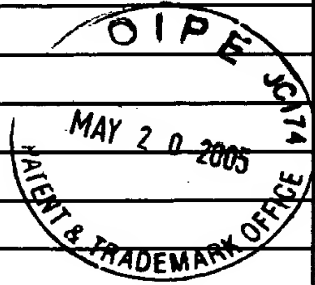
Norman F. Oblon
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Registration No. 50,552



22850

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(OSMMN 10/98)

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 2084-0046-0 DIV		SERIAL NO. 09/306,780	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Fuminori TAKEMURA et al.			
				FILING DATE MAY 7, 1999		GROUP 1645	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	6-27109	02-04-94	JAPAN w/English Abstract			X
	AP	7-118291	05-09-95	JAPAN w/English Abstract			X
	AQ	0 286 239	10-12-88	EUROPE			
	AR	WO 91/12328	08-22-91	WIPO			
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	R. Caswell et al., "Attempts to Engineer an Escherichia Coli DNA-Binding Protein as a Tool for Affinity Purification of Heterologous Proteins," <i>Biotechnology Techniques</i> , Vol. 7, No. 4, (April 1993), pages 307-312.					
	AX						
	AY						
	AZ						
Examiner					Date Considered		

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.